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CONCORD N.H.

Admiral C. A. Brinkmann
State Director of Civil Defense
Concord, New Hampshire

Dear Admiral Brinkmann:

You have referred to me letter from Mrs. Helen Bray, Assistant Director of Civil Defense in Westville, Plaistow, New Hampshire, in which she states that the Civil Defense Auxiliary Police have been requested "to police a church and school by the town of Plaistow" and asking if you will agree to cover the men on duty with Workmen's Compensation and also asking if this is approved, could she and town authorities take this to mean that Civil Defense Auxiliary Police would be covered "for any other duties we might be called out to perform for the town?"

The assignment to police a church and school is a function for special police officers of the town of Plaistow and not of Auxiliary Police. It represents no emergency.

Towns may not impose Workmen's Compensation or other liability upon the State by using the guise of Civil Defense training to accomplish a purely civil function for which the town itself is responsible anyway.

The matter must be related strictly to training for duties in an emergency and the assignment requested does not appear to me to constitute such.

With respect to Mrs. Bray's other question, if injury occurs while on the firing range practicing marksmanship in a bona fide civil defense exercise, the Workmen's Compensation coverage unquestionably applies.

Very truly yours,

George F. Nelson
Assistant Attorney General

GPN:W